

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

VENCIL C. GREEN,

Plaintiff,

v.

VAL LACEBAL, et al.,

Defendants.

No. 2:21-cv-01636-DAD-DB (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND GRANTING
MOTION TO DISMISS CERTAIN CLAIMS

(Doc. Nos. 34, 38)

Plaintiff Vencil C. Green is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On June 15, 2023, the assigned magistrate judge issued findings and recommendations recommending that defendants' motion to dismiss plaintiff's claims for damages brought against them in their official capacities (Doc. No. 34) be granted. (Doc. No. 38.) The pending findings and recommendations were served on the parties and contained notice that any objections thereto were to be filed within twenty-one (21) days after service. (*Id.* at 7.) No objections have been filed, and the time in which to do so has now passed.

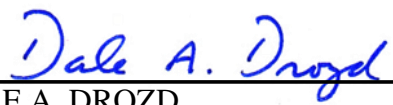
In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a *de novo* review of the case. Having carefully reviewed the entire file, the court concludes that the findings and recommendations are supported by the record and proper analysis.

1 Accordingly,

- 2 1. The findings and recommendations issued on June 15, 2023 (Doc. No. 38) are
3 adopted in full;
- 4 2. Defendants' motion to dismiss plaintiff's claims for damages against them in their
5 official capacities (Doc. No. 21) is granted; and
- 6 3. This action is referred back to the assigned magistrate judge for further
7 proceedings.

8 IT IS SO ORDERED.

9 Dated: September 24, 2023



DALE A. DROZD
UNITED STATES DISTRICT JUDGE